

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, September 14, 2015 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	June Gunza	----	Council Member
	Adrienne T. Voltaire	----	Council Member
	Lesley K. Peterson	----	Deputy Town Clerk
	Justin Rider	----	Counsel

ABSENT: James Stradley ---- Council Member

Supervisor Livsey opened the Meeting at 7:00pm.

Supervisor Livsey mentioned a few words about Captain Stroppel, said he is improving and to keep him in our thoughts.

PUBLIC COMMENT

None.

COMMUNICATIONS

Supervisor Livsey announced that he received an invitation to the Falkirk Golf and Country Club in Central Valley Thursday Oct 1, 2015 sponsored by Orange County Partnership, they are having a speaker talk about the economic and medical benefits of medical marijuana. All are welcome.

Supervisor Livsey said on September 20, 2015 between 4pm – 6pm Hudson Valley Land Trust are holding a poetry trail at the outdoor Discovery Center Cornwall, NY.

Supervisor Livsey was invited and attended a ceremony commemorating 90 years of the Bear Mountain Bridge.

MINUTES

Council Member Edsall made a motion seconded by Council Member Gunza to approve the minutes from August 24th, 2015.

MOTION CARRIED: 4 - ayes (Livsey, Edsall, Gunza, Voltaire)
0- nays
1- absent (Stradley)

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Council Member Edsall made a motion seconded by Council Member Voltaire to approve the minutes from August 31, 2015.

MOTION CARRIED: **4-ayes (Livsey, Edsall, Voltaire, Gunza)**
 0-nays
 1-absent (Stradley)

FINANCIAL REPORTS

Accounts Payable:

Supervisor Livsey said the total amount paid was \$98,095.66.

Supervisor Livsey reported that the Town Police Department patrol from Long Mountain Circle to the top of the mountain and the town, outside the Village, pays to patrol that area.

Supervisor Livsey said that when he reads that the state gets \$21,000.00 for fines and fees there must be some way that they can give State Aid to our Police Department, Supervisor Livsey said he would like to get Assemblyman James Skoufis involved.

Public Hearing – 2016 Budget:

Supervisor announced that there is a Resolution to schedule a Public Hearing for our 2016 Budget, would like to schedule for October 26, 2015 7pm at Town Hall. Town Clerk should notify newspaper and to include the salary schedule.

Council Member Edsall made a motion seconded by Council Member Voltaire to schedule the Public Hearing for the 2016 Budget at Town Hall Monday October 26, 2015 at 7pm.

RESOLUTION ADOPTED: **4-ayes (Livsey, Edsall, Voltaire, Gunza)**
 0-nays
 1-absent (Stradley)

******RESOLUTION ATTACHED******

Resolution – Expenditure from Park Reserve Fund:

Supervisor Livsey said there were trees cut down in Brooks' Park the cost of which was \$880.00.

Supervisor Livsey said he has a Resolution to move the money from the Park Reserve Fund.

Council Member Voltaire made a motion seconded by Council Member Edsall to move \$880.00 from the Park Reserve fund to cover the cost of tree cutting at Brooks' Park.

RESOLUTION ADOPTED: **4-ayes (Livsey, Edsall, Voltaire, Gunza)**
 0-nays
 1-absent (Stradley)

******RESOLUTION ATTACHED******

Resolution – Transfer Funds:

Supervisor Livsey announces that in the General Reserve Fund there is approximately \$800,000.00

Supervisor Livsey said he would like to keep us under the Tax Cap therefore would like to use \$100,000.00 to keep our figures right.

Supervisor Livsey announces that the Resolution before him will allow to take the money from the General Reserve Contingency and place in the Tax Stabilization Fund.

Council Member Gunza made a motion seconded by Council Member Voltaire to move \$100,000.00 from the General Reserve Fund to the Tax Stabilization Fund.

RESOLUTION ADOPTED: **4-eyes (Livsey, Edsall, Voltaire, Gunza)**
 0-nays
 1-absent (Stradley)

******RESOLUTION ATTACHED******

BOARD LIASON REPORTS

Council Member Voltaire

Council Member Voltaire reported that school had opened and the Homecoming Parade for O'Neill High School will be held Sunday September 27, 2015 at 5pm from Buffalo Soldiers Field to Memorial Park where everyone afterward will gather at Municipal Parking Lot.

Council Member Voltaire also reported Open Houses for the local school district this week.

Council Member Gunza

Council Member Gunza announced she would be reading a letter from Chief Quinn regarding vacancies within the Town Police Department, there are four detective positions, two of which are already filled, one of those is the Resource Officer he attends the High School all the time which leaves the Chief at Police Station with only one detective.

Council Member Gunza said that the Chief Quinn would also like to fill some more part-time Police Officer slots.

Council Member Gunza also announced that the Town has been working with Orange County on the Hazard Litigation Plan.

Council Member Edsall

Council Member Edsall praised Mr. Dean Jaeger for all his work at Patriot Garden.

Supervisor Livsey asked if anyone was there for the 9/11 Ceremony at Patriot Garden as he could not attend.

Council Member Gunza said she attended and it was very well organized and very nice. Vision did a great job organizing it and Gerald Sheehan was the Master of Ceremonies.

GENERAL BUSINESS

Recreation Director Retirement:

Supervisor Livsey regretfully announced the resignation of James Willis, Recreation Director. Mr. Willis is retiring after 30 plus years, effective October 31, 2015.

Supervisor Livsey makes an announcement for the Board to accept the resignation of James Willis, Recreation Director.

MOTION CARRIED: **4-ayes (Livsey, Edsall, Gunza, Voltaire)**
 0-nays
 1-absent (Stradley)

Supervisor Livsey explained there is no current list for Recreation Director, but there is available the recommendation and qualification list that explains what is needed to qualify for the position. The Town will advertise the position, also set up a committee to interview for the position

Supervisor Livsey asks the Town Clerk advertise the position in the local newspaper.

Supervisor Livsey said that there had been some research within other towns to get an idea of salaries for the position of Recreation Director. Mr. Willis is currently earning \$69,250.00.

Mary Jane Pitt asks if the position is not being filled from a civil service list is it something that can be given to someone local.

Council Member Voltaire said that the board can set that parameter if needed.

Council Member Gunza said you can set certain parameters but priority is that job specifications be met first.

Supervisor Livsey confirmed the applicant would have to be qualified and must take the civil service test.

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Mary Jane Pitt said that being a local person might be an asset as it is such a hands on job.

Supervisor Livsey said that the board would also consider two part-time positions, one being the part time recreation director the other part time assistant. The Supervisor said this would save the town quite a bit of money as there would be no Health benefits involved, however, saving money is not the most important thing when dealing with children within the town.

Council Member Edsall added that he did not know too much about recreation but assumed that the work is very seasonal as well. So hiring part time might be a feasible way to go.

Mine Dock Park Agreement

Supervisor Livsey, at the request of Town Attorney Justin Rider, was asked to read the Resolution pertaining to the Mine Dock Park Agreement. The Palisade Park Commission has now agreed to get on board and they presented a Modification and Assignment Agreement.

Supervisor Livsey asks for a motion to approve the Resolution for the Town of Highlands to enter into a Modification and Assignment Agreement for the existing Mine Dock Park Cooperative Agreement Dated May 16, 2013 between the Town of Highlands, Scenic Hudson and the PIPC.

Council Member Edsall made a motion seconded by Council Member Gunza to approve the Resolution for the Town of Highlands to Enter into a Modification and Assignment Agreement between Scenic Hudson and the PIPC.

RESOLUTION ADOPTED: **4-ayes (Livsey, Edsall, Voltaire, Gunza)**
 0-nays
 1-absent (Stradley)

******RESOLUTION ATTACHED******

POLICE DEPARTMENT

Police Chief Quinn announced that Claudette Smedman has pulled back from her duties as crossing guard due to some health issues, but she has not officially resigned. Chief Quinn said he will be calling Ms. Smedman to see what her future plans are, in the meantime Linda Bailey has come on board to take her place.

Chief Quinn asked the board to appoint Joseph Cornetta as detective. He is a 20 year NYPD Officer, he is conscientious and hardworking and would make a great candidate.

Chief Quinn said due to the fact that we have a part-time Police Department it is very important to watch the hours that the officers are being scheduled and working.

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Supervisor Livsey said that Detective Bailey has worked many hours he has had an immense work load lately and probably will not be working most of December, so an additional detective would be a great asset right now.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Gunza, Voltaire)

1-absent (Stradley)

Budget Transfers

MOTION CARRIED: 4-aves (Livsey,Edsall,Gunza,Voltaire)

1-absent (Stradley)

MOTION CARRIED: 4-ayes (Livsey, Edsall, Gunza, Voltaire)

0-nays

Supervisor Livsey received a letter from Mr. & Mrs. David McCutcheon requesting permission to hook up to Town Water.

Mr. Rider said he would draw up the agreement that the Town had prepared for Mr. & Mrs. David McCutcheon to sign.

MOTION CARRIED: 4-ayes (Livsey, Edsall, Gunza, Voltaire)

1-absent (Stradley)

BUDGET WORKSHOP

Police and Dog Control Budget

Chief Quinn comes to the table to discuss the budget for Town of Highlands Police Department.

Chief Quinn said that he has submitted to the Board an amended copy of his budget which, unfortunately, reflects a \$9,636.00 increase in personal services.

Chief Quinn explained the breakdown of his personal services and said he would like to use this as a template for future years.

Council member Gunza added that the \$4,799.00 spent on Stop DWI will at least come back to the Police Department.

Chief Quinn said that Stop DWI is part of the \$10,016.00 Grant Program the Department received.

Chief Quinn said he desperately needs new batteries for his radios that have exceeded their life expectancy. The Chief said, that after doing internet search, he found Motorola batteries for \$93.00 each.

Chief Quinn reported that they were going to be doing some electrical upgrades at the building with Paruolo Electric estimated cost \$1,500.00

Supervisor Livsey said that he would like to take the money to upgrade the building out of A Fund, it is a Town Building and should not have to come out of the Police Department Budget.

Chief Quinn said that he has also approached Roy Hannawalt about putting up a wall in the Police Station to prevent general access to locker rooms, which will cost approximately \$2,200.00.

Chief Quinn said as far as upgrading guns that is not an issue but some of the parts do need replacing, such as night sights for some of the guns. The Chief said the night sights cost about \$90 per set and he would like to replace 5 to 10 of them.

Chief Quinn stated that they budgeted the same amount for gas as last year and seems there is surplus there.

Supervisor Livsey asked Chief Quinn if he could take \$4,000.00 from there and use it.

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Chief Quinn agreed.

Council Member Gunza agreed as long as we can fuel cars when needed.

Chief Quinn said he has cut back on training because the officers are doing a lot of training online.

Chief Quinn announced that all new jackets were purchased and bullet proof vests needed upgrading, however, the department was getting \$2,600.00 in grant money towards the vests.

Chief Quinn addresses the Board and asks them to respectively to accept his budget request total of \$587,223.00

Supervisor Livsey compliments Chief Quinn on the work he put into his budget.

Supervisor Livsey asked if the board would schedule another budget meeting for next Monday Sept 28, 2015 at Town Hall 6:30pm where they can then discuss Dog Control Officer and other salaries.

Council member Gunza made a motion seconded by Council member Edsall to schedule a budget meeting for Monday September 28, 2015 Town Hall at 6:30pm.

MOTION CARRIED: **4-ayes (Livsey, Edsall, Gunza, Voltaire)**
 0-nays
 1-absent (Stradley)

MISC. BUSINESS

Supervisor Livsey was happy to report that Retirement costs had gone down by \$40,000.00.

Supervisor Livsey announced that the Town is anticipating using \$180,000.00 in the A and B Funds and \$10,000.00 in the Ambulance Fund.

Supervisor Livsey said using those numbers and the numbers from tonight, not including Health Insurance, the Town will be coming in \$35,000.00 over the Tax Cap. The Supervisor said there does not seem to be a problem because the Town has just transferred \$100,000.00 in the Tax Stabilization Fund to cover this cost.

PUBLIC COMMENT

Aaron Falk from Fort Montgomery just wanted to make a few comments about the recreation position becoming available. Mr. Falk thanked Mr. Willis for his 30 plus years to the job.

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Mr. Falk announced that he is currently Recreation Director at a location in New Windsor, NY. Mr. Falk recommended the Town Board keep the position full time and also consider hiring within the community.

Mr. Ramus said he read in the local paper that Council Member Edsall said, by combining the Planning Boards, it could possibly save the Town \$9,000.00.

Council Member Edsall said that it was \$6,000.00 and the amount came from comparing the budget that Erik Smith, Planning Board member gave the Town Board and minus the Village cost.

Supervisor Livsey announced that when the consolidation happens there are obviously going to be costs outside the Town that will cost the people money and quite possibly the Village will make some savings.

Council Member Edsall made a motion seconded by Council Member Gunza to go into Executive Session. Board went into executive session at 8:20pm.

Council Member Gunza made a motion seconded by Council Member Voltaire to close the executive session. Executive session closed at 8:41pm.

ADJOURN

MOTION CARRIED: 4-ayes (Livsey, Edsall, Gunza, Voltaire)
0-nays
1-absent (Stradley)

RESOLUTION
OF
SEPTEMBER 14, 2015
A RESOLUTION SCHEDULING A PUBLIC
HEARING ON PRELIMINARY
2016 BUDGET FOR THE TOWN OF HIGHLANDS

Councilman/Councilwoman **Edsall** moved the following resolution which was seconded by Councilman/Councilwoman **Voltaire**.

WHEREAS, the Town Board of the Town of Highlands has met and considered the tentative and preliminary budget for the fiscal year beginning January 1, 2016; and

WHEREAS, the Town Board of the Town of Highlands desires to schedule a date and time for the Public Hearing to be held on October 26, 2015 at 7:00 p.m.; and

WHEREAS, the preliminary budget must be filed in the Office of the Town Clerk of the Town of Highlands at the time of publication of the Notice of Public Hearing;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That in accordance with the provisions of §106 of the Town Law and other applicable provisions of Law, the preliminary budget for the fiscal year beginning January 1, 2016 shall be filed in the office of the Clerk of the Town of Highlands where it shall be available for public inspection at or before the time of publication of the Notice of Public Hearing.
2. The Town Clerk of the Town of Highlands shall give Notice of such Public Hearing to be held on October 26, 2015 at 7:00 p.m. by publishing notice thereof in the official newspaper of the Town of Highlands not less than five (5) days prior to October 26, 2015, and cause a copy of such notice to be posted on the sign board

of the Town of Highlands not later than five (5) days before October 26, 2015.

3. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

James Stradley, Councilman voting **Absent**

June Gunza, Councilwoman voting **Aye**

Adrienne T. Voltaire, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a Meeting of the Town Board, Town of Highlands, on September 14, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

SEPTEMBER 14, 2015

A RESOLUTION TO AUTHORIZE
EXPENDITURE FROM THE
PARK RESERVE FUND

Councilman/Councilwoman **Voltaire** moved the following resolution which was seconded by Councilman/Councilwoman **Edsall**.

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-c of the General Municipal Law of New York State heretofore established a certain capital reserve fund for the acquisition, protection and enhancement of parks known as the Park Reserve Fund; and

WHEREAS, the Town Board desires to authorize the expenditure of an amount not to exceed Eight Hundred Eighty and 00/100 (\$880.00) Dollars from said capital reserve fund to pay for the removal of trees at Brooks Park; and

WHEREAS, the expenditure of such funds constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED, an expenditure not to exceed the sum of Eight Hundred Eighty and 00/100 (\$880.00) Dollars is hereby authorized from the Park Reserve Fund to pay for the removal of trees at Brooks Park; and

BE IT FURTHER RESOLVED, that the foregoing resolution is adopted subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Absent**

June Gunza, Councilwoman voting **Aye**

Adrienne T. Voltaire, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a Meeting of the Town Board, Town of Highlands, on September 14, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

SEPTEMBER 14, 2015

A RESOLUTION TO AUTHORIZE
THE TRANSFER OF FUNDS FROM
THE GENERAL RESERVE TO
THE CONTINGENCY AND
TAX STABILIZATION RESERVE FUND

Council Member Gunza moved the following resolution which was seconded by Council Voltaire.

WHEREAS, the Town Board of the Town of Highlands pursuant to Section 6-e of the General Municipal Law of New York State heretofore established a contingency and tax stabilization reserve fund for the Town's A Fund; and

WHEREAS, the Town Board of the Town of Highlands beginning in 1993 put aside funds in a general reserve for the Town's A Fund; and

WHEREAS, the initial deposit was in the amount of Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars, with continuing deposits by the Town Board on a nearly yearly basis and as of September 14, 2015 the general reserve for the Town A Fund totaled approximately Seven Hundred Ninety Seven Thousand Dollars (\$797,000.00); and

WHEREAS, the Town Board desires to transfer One Hundred Thousand and 00/100 Dollars (\$100,000.00) from said general reserve fund to the Contingency and Tax Stabilization Reserve Fund for the Town's A Fund, a fund with the same tax base; and

WHEREAS, the transfer of funds constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board is authorizing the transfer of One Hundred Thousand and 00/100 Dollars (\$10,000.00) from said general reserve fund to the Contingency and Tax Stabilization Reserve Fund for the Town's A Fund.

BE IT FURTHER RESOLVED, that the foregoing resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Absent**

June Gunza, Councilwoman voting **Aye**

Adrienne T. Voltaire, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a Meeting of the Town Board, Town of Highlands, on September 14, 2015.

June Patterson, Town Clerk

RESOLUTION

OF

SEPTEMBER 14, 2015

A RESOLUTION TO AUTHORIZE
THE TOWN OF HIGHLANDS TO
ENTER INTO A MODIFICATION AND
ASSIGNMENT AGREEMENT FOR
THE EXISTING MINE DOCK PARK COOPERATIVE AGREEMENT
DATED MAY 16, 2013
BETWEEN THE TOWN OF HIGHLANDS
SCENIC HUDSON AND PIPC

Councilman/Councilwoman **Edsall** moved the following resolution which was seconded by Councilman/Councilwoman **Gunza**.

WHEREAS, the Town of Highlands (“Town”), The Scenic Hudson Land Trust, Inc. (“Scenic Hudson”) and the Palisades Interstate Park Commission (“PIPC”) have negotiated a Modification and Assignment Agreement amending the terms and conditions of the existing Cooperative Agreement dated May 16, 2013, between the parties (the “Cooperative Agreement”) which will clarify the environmental provisions of the agreement and provide for the transfer of the fee interest in the property from Scenic Hudson to PIPC; and

WHEREAS, the Town Board deems it to be in the public interest for the Town of Highlands to enter into the Modification and Assignment Agreement for the benefit of the Town park system.

NOW, THEREFORE, BE IT RESOLVED; that the Supervisor be and he hereby is authorized and directed to execute the Modification and Assignment Agreement substantially in the form presented to the Board and attached hereto as Exhibit A, at such time that all parties agree thereto; and

BE IT FURTHER RESOLVED, that the Supervisor and officers of the Town are hereby

authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Modification and Assignment Agreement for the Cooperative Agreement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman voting **Absent**

June Gunza, Councilwoman voting **Aye**

Adrienne T. Voltaire, Councilwoman voting **Aye**

William Edsall, Councilman voting **Aye**

Mervin R. Livsey, Supervisor voting **Aye**

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a Meeting of the Town Board, Town of Highlands, on September 14, 2015.

June Patterson, Town Clerk